

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DOUGLAS BRUECKNER and	)	
COLETTE BRUECKNER,	)	
	)	
Plaintiffs,	)	4:04CV3006
	)	
v.	)	
	)	
BURLINGTON NORTHERN AND SANTA	)	MEMORANDUM AND ORDER
FE RAILWAY COMPANY,	)	
a corporation,	)	
et al.,	)	
	)	
Defendants.	)	

On February 1, 2005 Judge Kopf granted the plaintiffs the opportunity to correct the problem of their lack of standing in this case by filing one of the following motions: (a) a motion to substitute the Bankruptcy Trustee as plaintiff; (b) a motion to join the Bankruptcy Trustee as plaintiff, or (c) a motion to continue the trial setting for a specified period in order to correct their lack of standing. Filing 102. On February 3 plaintiffs filed a motion to continue the trial setting for sixty days so plaintiffs could correct the problem of lack of standing. Filing 103. A few days later the court granted the motion for continuance to allow plaintiffs to correct the standing problem, stating that a new trial date would be set once that was accomplished. Filing 105.

It has now been more than sixty days and nothing has been filed indicating that plaintiffs have taken any action whatsoever to correct their lack of standing to bring this lawsuit.

IT THEREFORE HEREBY IS ORDERED,

Plaintiffs are given twenty days from the date of this order in which to show cause in writing, if any there be, why this action should not be dismissed.

Dated April 22, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge